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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte SHARYN MARIE GARRITY, RONALD LEWIS SCOTT, and
AARON MARK HELSINGER

Appeal 2011-007407
Application 09/426,442
Technology Center 2100

Before SCOTT R. BOALICK, STEPHEN C. SIU, and JOSIAH C. COCKS,
Administrative Patent Judges.

SIU, *Administrative Patent Judge.*

DECISION ON APPEAL
STATEMENT OF THE CASE

This is a decision on appeal under 35 U.S.C. § 134(a) from the Examiner's rejection of claims 1, 18-23, 25-33, and 35-37. We have jurisdiction under 35 U.S.C. § 6(b).

The Invention

The disclosed invention relates generally to “providing secure access and transactions using an extranet” (Spec. 3).

Independent claim 1 is illustrative:

1. An access system for a computer site, comprising:
a certificate authentication component to verify a user's identity from a digital certificate supplied by the user,
a directory, coupled to the certificate authentication component, to maintain an account for each individual user, each account containing an access policy specifying at least one portion of the computer site to which the corresponding user is permitted access, each account further containing at least one of an internet protocol (IP) address and a certificate authorization method associated with the user, and

an access control system, in computer hardware coupled to the directory, for controlling access to computer site by permitting the user to access a portion of the computer site and restricting the user from accessing at least one other portion of the computer site, based on the access policy associated with the individual user in a directory, wherein the access policy is used to provide tiered access for different sets of users to a plurality of security levels.

(App. Br. 16, Claims Appendix.)

The References

The Examiner relies upon the following references as evidence in support of the rejections:

Kuhn	US 6,023,765	Feb. 8, 2000
Schneider	US 6,178,505 B1	Jan. 23, 2001
Ginzboorg	US 6,240,091 B1	May 29, 2001
Gupta	US 2001/0020242 A1	Sept. 6, 2001
Davis	US 6,367,009 B1	Apr. 2, 2002

The Rejections

1. The Examiner rejects claims 1, 19, 20, 24-27, 29, 30, and 34-36 under 35 U.S.C. § 103(a) as being unpatentable over Davis, Schneider, and Kuhn.¹
2. The Examiner rejects claims 21, 22, 31, 32, and 37 under 35 U.S.C. § 103(a) as being unpatentable over Davis, Schneider, Kuhn and Gupta.
3. The Examiner rejects claims 18, 23, 28, and 33 under 35 U.S.C. § 103(a) as being unpatentable over Davis, Schneider, Kuhn, and Ginzboorg.

ISSUE

Did the Examiner err in determining that the combination of Davis, Schneider, and Kuhn discloses or suggests an account for a user containing at least one of an internet protocol (IP) address and a certificate authorization method associated with the user?

¹ The Examiner rejects claims 24 and 34 as obvious over Davis, Schneider, and Kuhn (Ans. 5, 7). While Appellants confirm this rejection (App. Br. 10), Appellants also indicate that claims 24 and 34 are not pending (App. Br. 5). Since there does not appear to be any other indication that claims 24 and 34 are no longer pending, we assume that claims 24 and 34 are currently pending and stand rejected as being obvious over Davis, Schneider, and Kuhn.

FINDINGS OF FACT

1. Schneider discloses an “access filter **203** which identifies a user and an information resource with an indication **311** of whether the request will be granted or denied” (col. 9, ll. 12-14) and a “database **301** . . . [containing] user identification information **313**, which identifies the user” (col. 9, ll. 59-61).
2. Schneider discloses a “database 301” (col. 18, l. 61) that contains a “[c]ertificate via User Identification Client” (col. 19, l. 1) for identifying “a user and an information resource with an indication . . . of whether the request [for access] will be granted or denied” (col. 9, ll. 12-14).

PRINCIPLES OF LAW

The question of obviousness is resolved on the basis of underlying factual determinations including (1) the scope and content of the prior art, (2) any differences between the claimed subject matter and the prior art, and (3) the level of skill in the art. *Graham v. John Deere Co. Kansas City*, 383 U.S. 1, 17-18 (1966).

“The combination of familiar elements according to known methods is likely to be obvious when it does no more than yield predictable results.” *KSR Int’l Co. v. Teleflex, Inc.*, 550 U.S. 398, 416 (2007).

ANALYSIS

Appellants assert that “Schneider does not teach or suggest ‘each account further containing at least one of an Internet protocol (IP) address and a certificate authorization method associated with the user,’ as recited in claim 1” (App. Br. 14).

As set forth above, Schneider discloses an “access filter” that identifies a user (FF 1) from user identification information stored in a database (FF 1). Schneider also discloses that the database contains an “IP address” (col. 19, l. 19), which is “associated with the user.” Such an “IP address is associated with the user because the “IP address” identifies “the user’s computer” (col. 19, l. 20). Since the IP address identifies the user’s computer and one of ordinary skill in the art would have understood that a computer is “associated with” the corresponding owner (i.e., an owner of a computer is “associated with” the computer that the owner owns), we agree with the Examiner that an “IP address” that identifies a user’s computer is “associated” with the user.

Appellants also argue that “Schneider does not teach or suggest an account containing ‘a certificate authorization method associated with the user,’ as recited in claim 1” (Reply Br. 2). First, we note that claim 1 requires *at least one of* an IP address and a certificate authorization method. Therefore, claim 1 does not require a certificate authorization method as long as an IP address is provided. As described above, Schneider discloses an IP address as recited in claim 1.

In any event, Appellants do not indicate an explicit definition for the term “certificate authorization method.” Under a broad but reasonable interpretation in view of the Specification and based on the ordinary and customary meaning of the specific terms used, the above-quoted term reasonably includes any *method* of *authorizing* access to data for a user in which a *certificate* is used. We agree that Schneider discloses this feature. As stated above, Schneider discloses a method of granting or denying access to data for a user based on identification data for a user stored in a database, the identification data including a certificate (FF 2). Appellants have not pointed to any substantial differences between Schneider’s disclosure of using a certificate in a method for authorization of a user for access to specified data and a “certificate authorization method” as recited in claim 1.

Claims 27 and 37 recite similar features as claim 1. Appellants provide no additional arguments either with regard to the Davis, Kuhn, Gupta, or Ginsboorg references or in support of dependent claims 18-23, 25, 26, 28-33, 35, and 36.

We therefore affirm the Examiner’s rejection of claims 1, 27, and 37, and of claims 18-23, 25, 26, 28-33, 35, and 36, which fall therewith.

CONCLUSION OF LAW

Based on the findings of facts and analysis above, we conclude that the Examiner did not err in determining that the combination of Davis, Schneider, and Kuhn discloses or suggests an account for a user containing

at least one of an internet protocol (IP) address and a certificate authorization method associated with the user.

DECISION

We affirm the Examiner's decision rejecting claims 1, 18-23, 25-33, and 35-37 under 35 U.S.C. § 103.

No time period for taking any subsequent action in connection with this appeal may be extended under 37 C.F.R. § 1.136(a)(1)(iv).

AFFIRMED

rvb